

REGULAR MEETING -BOARD OF TRUSTEES-NOVEMBER 17, 2009-7:00 P.M.

PRESENT: ERNEST W. MARTIN, MAYOR; TRUSTEES - KENNETH BAKER, JOHN BASILE, KEITH COLLINS, ELLEN VOMACKA

ALSO PRESENT: ATTORNEY, JAMES PELUSO; SUPT. OF PUBLIC WORKS, ROBERT GERASIA; BUILDING CODE OFFICER LYNN GOMAN; FIRE CHIEF SHANE MAHAR; FIRE MARSHAL PAUL O'KOSKY II

Mayor Martin called the meeting to order at 7:00 P.M. and led the pledge to the flag.

CORRESPONDENCE

None

BUILDING CODE OFFICER – Lynn Goman

Mr. Goman reviewed his written report (copy on file) and discussed his concerns about what appears to be an improperly installed wood stove at 111 S. Hudson Ave. The Mayor instructed Mr. Goman to send an appearance letter, cite the owner, and report to the police.

FIRE CHIEF – Shane Mahar

Chief Mahar reviewed his written report (copy on file) and discussed our option to purchase a used fire truck from Boght Community Fire District. The truck has been well taken care of, will fit in our garage, and should last for five or more years.

FIRE MARSHAL – Paul O’Kosky II

Mr. O’Kosky distributed and reviewed a packet of inspection forms for Board approval and discussed the new DEC Regulations regarding no open burning.

MOTION to approve inspection forms as submitted for use by the Fire Marshal made by Trustee Basile, seconded by Trustee Baker
Motion carried 4-0

Mr. O’Kosky spoke about his recent training where it was recommended enforcement officers join NFPA to help fulfill their education requirements since NYS has cut back on the number of courses offered. Mr. Goman said he would not participate in online training and isn’t in favor.

MOTION for the Village to pay for a basic membership to NFPA for the Fire Marshal, Paul O’Kosky II made by Trustee Collins, seconded by Trustee Basile
Motion carried 4-0

A third inspection took place at the Legion, a letter will go out tomorrow specifically identifying issues so there will be no more confusion on what needs to be addressed.

SUPT. OF PUBLIC WORKS – Robert Gerasia

Supt. Gerasia reviewed his report for the month (copy on file) and discussed the excessive water use for Account 1. The Mayor requested the DPW contact the owner to follow up and see if they were able to find a leak.

MOTION to sell the 1997 Ford Truck to Mike Davidson for \$500.00 made by Trustee Basile, seconded by Trustee Baker
Motion carried 4-0

COMMITTEE REPORTS

Trustee John Basile – reviewed his written report (copy on file) and requested executive session to discuss the DEC Consent Order

Trustee Keith Collins – all material related to the water project will be addressed during executive session.

Trustee Ellen Vomacka – updated the Board on the Sidewalk Project and the development of the Village website. A link will be sent to the Board to view the setup

and make suggestions. A proposal from The Chazen Companies will be discussed during Executive Session.

Trustee Ken Baker – no report

ATTORNEY - James Peluso – no report

CLERK-TREASURER – Patti Ryan

MOTION authorizing payment of \$30.00 for membership dues for Linda Sanders to the Public Historians of New York State made by Trustee Basile, seconded by Trustee Vomacka
Motion carried 4-0

MOTION authorizing the Clerk to send a certified letter to water account 630036 giving the homeowner 30 days to pay in full or the water will be turned off made by Trustee Basile, seconded by Trustee Baker
Motion carried 4-0

MOTION authorizing the Clerk to send a certified letter to water account 630030 giving the homeowner 30 days to pay in full or the water will be turned off made by Trustee Basile, seconded by Trustee Baker
Motion carried 4-0

MOTION authorizing the Clerk to send a certified letter to water account 640006 giving the homeowner 30 days to pay in full or the water will be turned off made by Trustee Basile, seconded by Trustee Baker
Motion carried 4-0

Payment for Accounts 5, 6, and 7 was postmarked after the due date and no penalty was included. This is the second time the Town of Stillwater has paid late, the current bills total \$63,936.32 and a penalty of \$6,393.63 should have been included. Mr. Peluso recommended further discussion take place during executive session.

MOTION authorizing the Clerk Treasurer to:

Transfer \$258.84 from G8120404 (Sanitary Sewers Equipment Repair) to G8120402G (Sanitary Sewers I & I) and

Transfer \$1000.00 from G8120401 (Sanitary Sewers Supplies) and \$300.00 from G8130412 (Sewage Treatment Chemicals) to G8110420 (Sewer Admin. Professional Services) and

Transfer \$1300.00 from F1990400 (Contingent) to F8320420F (Professional Service) and

Transfer \$5000.00 from F8330403 (Purification Electricity) and \$5000.00 from F8330412 (Purification Chemicals) to F8330406 (Frac Tank Supply)

Made by Trustee Basile, seconded by Trustee Collins
Motion carried 4-0

The Clerk informed the Board 14 refunds for overpaid W/S bills will be included in this month's abstract.

MOTION to open the floor to the public and press made by Trustee Basile, seconded by Trustee Baker
Motion carried 4-0

Terry Simmons asked if personal use of Village cell phones is allowed and if one of the employees had his Village number posted on his vehicle. Supt. Gerasia agreed to find out. Questions regarding property inspections were answered by the Fire Marshal.

Jim Champlin stated whether a homeowner or a taxpayer, it's foolish to excuse a late payment penalty as it sent a mixed message.

Jay Bloomingdale asked if a backhoe is expected to be sold within the next year and requested he be able to make an offer on it as he's been assisting the DPW in leaf disposal. Mr. Bloomingdale also commented on the inability to park in front of the Post Office and asked if it could be posted for limited or customer parking only.

MOTION to close the floor to the public and press made by Trustee Basile, seconded by Trustee Baker
Motion carried 4-0

NEW BUSINESS

MOTION authorizing the expenditure of \$25,000.00 to purchase the fire truck from Boght Community Fire District with funds coming from the following line items as detailed by the Treasurer: \$8,352.00 from Fire Truck Reserve, \$13,900.00 from appropriated Fund Balance of FEMA/SEMO reimbursements of the Fire Department portion, and \$2,748.00 from Fire Department Equipment made by Trustee Collins, seconded by Trustee Basile Discussion: Chief Mahar explained the original price was \$35,000 but the Commissioner was willing to accept \$25,000 because of our situation and will also be giving us some surplus equipment. Trustee Basile questioned what additional expenses we'd have after purchasing and other than lettering and radio installation, nothing is needed to place the truck in service. Boght has offered to send officers up to train our staff
Motion carried 4-0

The Clerk Treasurer advised the Board the BAN for Engineering Fees was up for renewal. Our Bond Counsel indicated no resolution was necessary; it was part of the original approval to borrow. We are paying \$25,000. out of the current budget plus \$35,000. received from Senator Bruno, and will renew the balance of \$40,000. for one year at a rate of 3.35%.

Motion authorizing the use of the \$35,000. grant to pay down the principal on the Engineering BAN made by Trustee Basile, seconded by Trustee Collins
Motion carried 4-0

MOTION to accept TCO #5 from The Chazen Companies in an amount not to exceed \$4750.00 made by Trustee Basile, seconded by Trustee Baker Discussion: Trustee Basile read the recently received letter from USDA offering a grant of \$2 million and loans at 3.375% to finance the SCWA Project. This TCO is required to finish the application which we hope to submit by December 15, 2009

Roll Call Vote:

Trustee Collins – Aye
Trustee Vomacka – Aye
Trustee Basile – Aye
Trustee Baker – Aye

Motion carried 4-0

MOTION to approve proposal from The Chazen Companies so we can go forward on the storm water piece of the sidewalk project made by Trustee Vomacka, seconded by Trustee Basile Discussion: DOT will do the engineering for the sidewalks, TCC has submitted a proposal for storm water engineering.
Motion tabled

OLD BUSINESS

MOTION the position of Fire Code Officer be changed to Fire Marshal with Paul O'Kosky II reaffirmed to that position

Motion carried 4-0

MOTION to reimburse Mr. William Perry the amount of \$200 for overcharging the cost of a new meter made by Trustee Basile, seconded by Trustee Vomacka

Discussion held on the definition of new construction. Trustee Collins stated a new building in a new location on a lot requiring a C/O from the Building Inspector is new construction and therefore, is a new connection. Trustee Basile disagreed stating there was already a connection and a meter and therefore, it's a replacement. Trustee Collins asked if a meter could be moved from one location to another and Supt. Gerasia said yes, they remove and replace the head and start at zero again. The Clerk asked if a property owner has any time limit to rebuild and still be able to reuse a meter that's been pulled. Trustee Basile said as long as the homeowner continued to pay a minimum bill, it was a replacement; not new construction. Supt. Gerasia referenced 299 A & B Hudson Ave; 299A was charged \$300 for a new meter because it replaced one that was already there but 299B will have to pay \$500 because it's an entirely new building. The Clerk asked where the meter from 297 Hudson was being moved to. The Supt. said it was going to 299 with a new head and would cost \$500. After further questioning, the Supt. clarified the meter currently at 297 Hudson would remain there but with a new head at a fee of \$50. The second unit to be built at 297 Hudson will be \$1500 because a whole new tap will be required.

Roll Call Vote:

Trustee Basile - Aye

Trustee Baker - Aye

Trustee Vomacka - Abstain

Trustee Collins - Nay

Motion carried 2-1

The Mayor suggested the Board get together and straighten out the fees before we run into this problem again.

MOTION to approve the Treasurer Report made by Trustee Basile, seconded by Trustee Baker

Motion carried 4-0

MOTION to approve the minutes of September 29 & October 20, 2009 made by Trustee Baker, seconded by Trustee Basile

Motion carried 4-0

MOTION to approve the audited claims:

A - \$ 24,622.18

F - \$ 71,827.02

G - \$ 25,672.12

H - \$ 64,761.45

made by Trustee Vomacka, seconded by Trustee Basile

Motion carried 4-0

MOTION to adjourn to executive session at 8:50pm to discuss matters related to the DEC consent order and potential easement negotiations made by Trustee Baker, seconded by Trustee Vomacka

Motion carried 4-0

Meeting adjourned 10:25pm

Respectfully submitted,

Patricia A. Ryan
Clerk-Treasurer